IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

CYNTHIA ELA CALDWELL PLAINTIFF

v. CIVIL NO. 10-2140

MICHAEL J. ASTRUE, Commissioner
Social Security Administration DEFENDANT

ORDER

On September 16, 2010, Plaintiff submitted a complaint for filing in this district, together with a request for leave to proceed *in forma pauperis*. ECF No. 1. Subsequently, an order was issued directing the clerk to provisionally file the complaint prior to a determination regarding Plaintiff's status as an indigent. ECF No. 3. Pursuant to the order, Plaintiff submitted an amended *in forma pauperis* application on September 30, 2010. ECF No. 4. After review, it is found that Plaintiff is unable to pay for the costs of commencement of suit and, accordingly, the following order is entered:

IT IS HEREBY ORDERED that Plaintiff's motion for leave to proceed *in forma pauperis* be granted. The clerk is directed to file the complaint *nunc pro tunc* as of September 15, 2010. Additionally, the court directs that a copy of the complaint, along with a copy of this order, be served by Plaintiff by certified mail, return receipt requested, on Defendant, Michael J. Astrue, Commissioner, Social Security Administration, as well as Eric H. Holder, Jr., U.S. Attorney General, and Mark W. Webb, Assistant U.S. Attorney, without prepayment of fees and costs. Defendant is ordered to answer within sixty (60) days from the date of service.

IT IS SO ORDERED this 1st day of October 2010.

HON. JAMES R. MARSCHEWSKI
CHIEF U.S. MAGISTRATE JUDGE

U. S. DISTRICT COURT
WESTERN DISTRICT ARKANSAS
FILED
OCT 01 2010
CHRIS R. JOHNSON, CLERK
BY
DEPUTY CLERK